

SENATE BILL REPORT

SHB 1467

As Reported by Senate Committee On:
Environment, Water & Energy, March 15, 2011

Title: An act relating to the definition of a well.

Brief Description: Modifying the definition of a well for the purposes of chapter 18.104 RCW.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Buys, Blake, Chandler, Pearson, Fagan, Overstreet, Harris, Wilcox, Johnson, Haler, Warnick, McCune and Kelley).

Brief History: Passed House: 2/26/11, 97-0.

Committee Activity: Environment, Water & Energy: 3/09/11, 3/15/11 [DPA].

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: Do pass as amended.

Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Honeyford, Ranking Minority Member; Chase, Delvin, Fraser, Holmquist Newbry, Morton and Ranker.

Staff: Karen Epps (786-7424)

Background: The Washington Well Construction Act (WWCA) governs the design, construction, alteration, and decommissioning of wells in this state. The Department of Ecology regulates well design, construction, and maintenance. Wells are defined in the WWCA.

Wells are water wells, resource protection wells, dewatering wells, and geotechnical soil borings. A well is not an excavation made for the purpose of obtaining or prospecting for oil, natural gas, geothermal resources, minerals, or products of mining, or quarrying, or for inserting media to re-pressure oil or natural gas bearing formations, or for storing petroleum, natural gas, or other products.

Summary of Bill (Recommended Amendments): The definition of a well, as defined in the WWCA, is modified to exempt certain activities. Inserting any device or instrument less than ten feet in depth into the soil for the sole purpose of performing soil or water testing or analysis, or establishing soil moisture analysis content is not a well, as long as there is no withdrawal of water in any quantity other than necessary to perform the intended testing or

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analysis. The definition of a well does not include an excavation made for the purpose of siting and constructing an on-site sewage disposal system or a large on-site sewage system.

EFFECT OF CHANGES MADE BY ENVIRONMENT, WATER & ENERGY COMMITTEE (Recommended Amendments): Provides that well does not mean an excavation made for the purpose of siting and constructing an on-site sewage disposal system or a large on-site sewage system. Makes clarifying changes.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute House Bill: PRO: This bill provides an exemption for soil samples. Soil testing is required for dairy farms and many others in the agricultural community. This bill removes these types of soil probes and soil moisture testing from the definition of a well.

Persons Testifying: PRO: Representative Buys, prime sponsor; Ken Slattery, Department of Ecology.